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# FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$500.00

## Complete if Known

Application Number	09/552,088
Filing Date	April 19, 2000
First Named Inventor	Elliott D. Light, et al.
Examiner Name	Pierre E. Elisca
Art Unit	3621
Attorney Docket No.	12832-100130

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 11-0600 Deposit Account Name: Kenyon & Kenyon

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

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## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

### 2. EXCESS CLAIM FEES

#### Fee Description

Each claim over 20 (including Reissues)  
Each independent claim over 3 (including Reissues)  
Multiple dependent claims

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee (\$) Fee Paid (\$)

- 20 or HP = x =

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)

- 3 or HP = x =

HP = highest number of independent claims paid for, if greater than 3.

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)

- 100 = / 50 = (round up to a whole number) x =

### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Appeal Brief

Fees Paid (\$)

\$500.00

SUBMITTED BY		Registration No.	Telephone
Signature	<i>David J. Zibelli</i>	(Attorney/Agent) 36,394	202-220-4200
Name (Print/Type)	David J. Zibelli		Date November 30, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT  
Serial No: 09/552,088  
Docket No: 12832-100130

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Elliot D. Light et al.

Serial No: 09/552,088

Filed: April 19, 2000

For: A METHOD AND APPARATUS FOR DATA  
RECIPIENT STORAGE AND RETRIEVAL OF  
DATA USING A NETWORK COMMUNICATION  
DEVICE

Examiner: Pierre E. Elisca

Art Unit: 3621

**APPEAL BRIEF UNDER 37 CFR 41.37**

Mail Stop Appeal Brief- Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**ATTENTION: Board of Patent Appeals and Interferences**

Sir:

Applicants submit this Appeal Brief in the above-referenced application. A Notice of Appeal was filed on September 30, 2005.

**REAL PARTY IN INTEREST**

Verisign, Inc. is the real party in interest for all issues related to this application by virtue of assignments filed with the USPTO and recorded at reel 011911, frame 0602.

**RELATED APPEALS OR INTERFERENCES**

There are no other appeals, interferences, or judicial proceedings known to Appellants, Appellants' legal representative, or assignee which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

## **STATUS OF CLAIMS**

This application contains claims 1-148. Claims 51-128 have been canceled. Claims 1-50 and 129-148 stand finally rejected as obvious over prior art and are the subject of this appeal.

## **STATUS OF AMENDMENTS**

No amendments after the May 5, 2005 Final Rejection were filed in this application.

## **SUMMARY OF CLAIMED SUBJECT MATTER**

Independent claim 1 recites a system for data recipient (data recipient 120, page 9, lines 21-22, Fig. 1) invoked electronic transactions comprising a first network (common network 160, page 9, lines 13-15, Fig. 1); a second network (NCD network 112, page 10, lines 12-13, Fig. 1); at least one data recipient computer associated with at least one data recipient and connected to the first network (data recipient computer 122, page 9, lines 16-23, Fig. 1), the at least one data recipient computer having web server software for hosting a web page (server software 124 displays data recipient's web pages, page 9, lines 23-24, Fig. 1), and client software for allowing the at least one data recipient to send and receive information over the first network (client software 126, page 9, line 24- page 10, line 11, Fig. 1); at least one gateway computer connected to the first network and the second network (NCD gateway 110, page 10, lines 12-22), the at least one gateway computer having gateway software for allowing the file exchange between the first and second networks (page 10, lines 13-20, page 14, lines 3-8); at least one data subject network communication device (NCD) associated with the at least one data subject and connected to the second network (network communication device 102 associated with data subject 100), is connected to NCD network 112, page 9, lines 16-20, page 10, lines 12-13, fig. 1), the at least one data subject NCD having software for accessing, and communicating with, the gateway computer to send and receive information over the first network (NCD software 104, page 9, lines 16-20, page 10, lines 2-22, Fig. 1); at least one data repository connected to the first network (data repository 140, page 10, lines 2-13, Fig. 1), the at least one data repository having data repository software including instructions for gathering information to complete a transaction (data repository software 142, page 10, lines 2-11, page 11, lines 3-14, Fig. 1); and, the client software includes instructions for forwarding a data recipient's offer to the

at least one data repository via the gateway computer, the second network, and the NCD software (page 14, lines 18-23, Fig. 2A, steps 202 and 204).

Independent claim 129 recites a method for purchasing an item over a first network (common network 160, page 9, lines 13-15, Fig. 1) coupled to a second network (NCD network 112, page 10, lines 12-13, Fig. 1) by a gateway (NCD gateway 110, page 10, lines 12-22, Fig. 1) comprising at a data recipient computer connected to the first network: (data recipient computer 122, page 9, lines 16-23, Fig. 1), receiving a request for an offer from a data subject network communications device connected to the second network (data subject requests data recipient's offer, page 14, lines 18-21, Fig 2A, step 200); and in response to the request, sending the offer and a data file from the data recipient computer to the data subject network communications device (page 14, lines 19-21, Fig. 2A, step 202); at a data repository connected to the first network: receiving the offer and a message from the data subject network communications device (page 14, lines 21-23, Fig. 2A, step 204); in response to the offer, determining an identity of a data subject based on the message (page 14, line 24-page 15, line 15, Fig. 2A, step 206) gathering payment data associated with the data subject based on the identity (page 16, lines 16-19, Fig. 2A, step 214), presenting the offer to the data subject network communications device (page 20, lines 2-4, Fig. 2C, step 240), receiving a purchase decision from the data subject network communications device, and sending payment data to the data recipient computer (page 21, lines 19-22, Fig. 2D, step 252).

Independent claim 140 recites system for conducting electronic transactions, comprising: a first network (common network 160, page 9, lines 13-15, Fig. 1); a gateway coupled to the first network (NCD gateway 110, page 10, lines 12-22, Fig. 1); a second network coupled to the gateway (NCD network 112, page 10, lines 12-13, Fig. 1) a data recipient computer, coupled to the first network (data recipient computer 122, page 9, lines 16-23, Fig. 1), adaptively configured to: receive an offer request from a data subject network communication device, coupled to the second network, via the gateway (data subject requests data recipient's offer, page 14, lines 18-21, Fig 2A, step 200), send an offer and a data file to the data subject network communication device via the gateway (page 14, lines 19-21, Fig. 2A, step 202), a data repository, coupled to the

first network, adaptively configured to: receive the offer and a message from the data subject network communication device via the gateway, (page 14, lines 21-23, Fig. 2A, step 204), determine an identity of a data subject based on the message (page 14, line 24-page 15, line 15, Fig. 2A, step 206), gather payment data associated with the data subject based on the identity (page 16, lines 16-19, Fig. 2A, step 214), present the offer to the data subject network communications device via the gateway (page 20, lines 2-4, Fig. 2C, step 240), receive a purchase decision from the data subject network communications device via the gateway, and send payment data to the data recipient computer (page 21, lines 19-22, Fig. 2D, step 252).

### **GROUND OF REJECTION TO BE REVIEWED**

The Final Rejection rejects claims 1, 2 and 8-50 under 35 U.S.C. §103 over Clark (US Pat 5,890,140) and Rogge (US Pat 5,500,890) in view of Edwards (US Publication 2001/0037319), rejects claims 3-5 and 6-7 under 35 U.S.C. §103 over Clark, Rogge, Edwards and further in view of Official Notice, and rejects claims 129-148 under 35 U.S.C. §103 over Clark in view of Edwards.

### **ARGUMENT**

The Final Rejection fails to demonstrate. The Final Rejection fails to render obvious any of claims 4-8, 11, 15-19, 22 and 24 for the same reasons, and because the secondary references do not remedy these deficiencies. Details of these arguments are presented below.

#### **A. Claims 1, 2 and 8-50 Are Not Obvious**

Independent claim 1 recites, *inter alia*, a first network, a second network, at least one data recipient computer connected to the first network, at least one gateway computer connected to the first network and the second network, at least one network communication device (NCD) associated with the data subject and connected to the second network, and at least one data repository connected to the first network. The data recipient computer is associated with a data recipient and has web server software for hosting a web page and client software for allowing the data recipient to send and

receive information over the first network. The gateway computer has gateway software for allowing the file exchange between the first and second networks. The NCD has software for accessing and communicating with the gateway computer to send and receive information over the first network. The data repository has software including instructions for gathering information to complete a transaction. The client software includes instructions for forwarding a data recipient's offer to the data repository via the gateway computer, the second network and the NCD software.

The Final Rejection refers to Clark as disclosing the first network, the second network, the data recipient computer, the gateway computer, the data subject network communication device, and the data repository. The Final Rejection fails to identify what elements of Clark correspond to these claimed elements, other than referring to the abstract and Fig. 1, except for the data repository, which is referred to as element 11, and the data subject network communication device, which is referred to as the Internet.

The Final Rejection admits that Clark does not disclose "that the client software includes instructions for forwarding data to the gateway computer, the second network." See page 3. However, Clark also fails to disclose at least: 1) the gateway computer; 2) the data recipient computer having web server software for hosting a web page; 3) a data subject network communication device having software for accessing and communicating with the gateway computer; 4) the client software including instructions for forwarding a data recipient's offer to the data repository via the gateway computer, the second network and the NCD software; and 5) . Each of these items is addressed below.

The Final Rejection points to no element of Clark as the gateway computer. Further, there is no disclosure of the recited gateway software for allowing the file exchange between the first and second networks.

The Final Rejection asserts that Clark discloses the data recipient computer having web server software for hosting a web page, referring to Fig. 29, col. 26, lines 5-65, specifically workstations 12. The sections do not disclose web server software for hosting a web page. The Final Rejection does not point to any web server software for hosting a web page, and a workstation is not a disclosure of such.

The Final Rejection refers to the Internet as the claimed a data subject network communication device having software for accessing and communicating with the gateway computer. See page 3. The claimed network communication device is a device, not the Internet as asserted in the Final Rejection. Further, claim 1 requires that the network communication device be associated with the at least one data subject and connected to the second network. The Internet is not associated with a data subject, and it is not clear how it is connected to a second network, since the Final Rejection fails to identify what it considers to be the second network.

The Final Rejection fails to identify the claimed client software including instructions for forwarding a data recipient's offer to the data repository via the gateway computer, the second network and the NCD software. The Final Rejection admits that "Clark fails to disclose that the client software includes instructions for forwarding data to the gateway computer, the second network." See page 3. The Final Rejection ignores the claim 1 recitation "instructions for forwarding a data recipient's offer to the data repository via the gateway computer, the second network and the NCD software."

The Final Rejection attempts to overcome deficiencies of Clark with reference to Rogge, which the Final Rejection asserts discloses a second or virtual network and a network software or NCD software, and that it would have been obvious to have modified the electronic delivery of Clark by including a second network, a network software, and NCD software, because such modification would provide an electronic delivery system with a high degree of access control for improved security.

Before discussing the impropriety of this combination, it is noted that even if the network of Rogge were considered a second network and combined with Clark as suggested, any software associated with the "second network" of Rogge would be just that: associated with the second network, and would not be network communication device (NCD) software as suggested in the Final Rejection. Claim 1 requires client software including instructions for forwarding a data recipient's offer to the data repository via the gateway computer, the second network and the NCD software. The Final Rejection never identifies any NCD software as claimed. The Final Rejection previously identified the Internet as the NCD.

Moreover, it is asserted that there is no motivation for making the asserted modification of Clark with the virtual network of Rogge. In particular, the system of Clarke is a private X.25 packet switch data network using permanent or switched virtual circuits as an end-to-end control mechanism through the network that is incompatible with the virtual network 34 of Rogge, which is typically provided by an interexchange carrier such as Sprint, as further explained below.

The system shown in Fig. 1 of Clark does not include two networks, but instead includes a global telecommunications network GTN 13, 13'. The GTN is a private X.25 packet switch data network using permanent or switched virtual circuits as an end-to-end control mechanism through the network. See column 4, lines 50-67. Thus, the network of Clark is a private network which connects customer facilities 12 to the on-line transaction processors 14. In contrast, the system shown in Fig. 1 of Rogge includes virtual network 34, which is typically provided by an interexchange carrier such as Sprint. The virtual network interfaces with the point of presence 32 and network interface 33, allowing connections to be quickly made between the FEP/host 29 and controller 24. The system uses modem 28 which goes off-hook to initiate a call. The signaling equipment in the POP 32 detects this off-hook condition, with the computer system in the virtual network 34 knowing the effective address or identification of the caller. Because of the connection through the DAL 30, the caller is considered "on-net" such as to be positively identified by the virtual network 34. An address or identification look-up from a computer database in the virtual network is then performed to determine where the call is to be placed.

It is respectfully submitted that such a virtual network as disclosed in Rogge is completely incompatible with the private X.25 packet switch data network of Clark. The private network of Clark already includes connections made by its network to connect the customer facilities 12 to the on-line transaction processors 14, and it is respectfully submitted that one of skill in the art would never combine these systems. The Final Rejection speculates that adding modifying the electronic delivery of Clark by including a second network and network software "would provide an electronic delivery system with improved security with a high degree of access control for improved security." The Examiner fails to explain how modifying the private X.25 network of Clark by adding in



elements controlled by a third party, such as Sprint, would provide improved security. It is instead submitted that one of skill in the art would not make such a modification to the private X.25 network, to add elements controlled by a third party, as such may have the opposite effect, giving less security to the private network. Accordingly, the Examiner's combination of references can only be made with hindsight consideration of the present application.

In the Final Rejection, the Examiner disagrees with the argument that the private X.25 packet switch data network is completely incompatible with the virtual network of Rogue because "in order for two networks to communicate to each other, network configuration or packet switch must be accomplished or compatible." However, the Final Rejection fails to explain why one of ordinary skill would make the asserted modification other than the generalized statement that it would provide "improved security". There is no explanation of how the modification would provide improved security. Further, the Examiner ignores the fact that the global telecommunications network of Clark is a proprietary, global connecting medium using a private X.25 packet switch data network. The private network of Clark is specifically designed to enable secure financial transactions and to remain private. The Examiner is apparently suggesting that it would have been obvious to insert in the middle of the private secure system of Clark items controlled by a third party, including a point-of-presence 32, a network interface 33 being handled over a virtual network 34 provided by an inter-exchange carrier such as Sprint. It is again asserted that one of skill in the art would not make such a modification to add elements controlled by a third party to the private secure X.25 packet switch data network of Clark. Edwards does not solve any of the above-noted deficiencies.

For the above reasons, it is submitted that claim 1 would not have been obvious over Clark in view of Rogge and Edwards. Dependent claims 2 and 8-50 would not have been obvious for the same reasons. Withdrawal of the rejection is requested.

**B. Claims 3-7 Are Not Obvious**

Dependent claims 3-7 would not have been obvious over the applied references for due to their dependency from claim 1 for the reasons described above regarding claim 1, and

because the Official notice does not solve the above-noted deficiencies of Clark, rogge and Edwards. Withdrawal of the rejection is requested.

C. Claims 129-148 Are Not Obvious

Claims 129 and 140 recite a first network coupled to a second network by a gateway. A request for an offer is received at a data recipient computer connected to the first network, and the offer and a data file are sent from the data recipient computer to the data subject network communications device. The offer and a message from the data subject network are received at the data repository connected to the first network and in response to the offer, an identity of the data subject is determined based on the message. Payment data is gathered associated with the data subject based on the identity.

As explained above, Clark does not disclose a gateway nor a data subject network communication device. Clark also does not disclose that payment data is gathered associated with the data subject based on the identity as required by these claims. The Final Rejection merely refers to the abstract and Fig. 1 as showing this feature.

Further, neither Clark nor Edwards disclose or suggest sending the offer from the data recipient computer to the data subject network communication device, receiving the offer and a message from the data subject network communication device at the data repository, and determining an identity of the data subject based on the message as required by these claims.

The Final Rejection asserts that Edwards discloses a content brokering system that assists negotiations between a buyer and a seller through a financial function, where the seller sends an offer to the content brokering system addressed to the buyer as a private message that is forwarded by the content brokering system. The proposal may include a sample of the content so that the buyer can determine if the content is what is wanted.

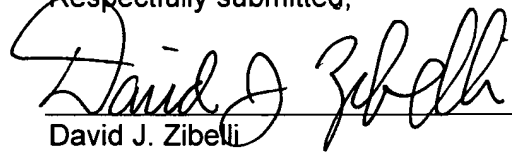
However, in the claimed invention, the offer originates with the data recipient computer (corresponding to a seller or merchant), is sent to the data subject network communication device and then to the data repository with a message, and an identity of the data subject (corresponding to the buyer) is determined by a message. In contrast, in Edwards, the offer is sent from the seller to the buyer. Edwards does not disclose determining an identity of the data subject based on the message sent with the offer.

For at least these reasons, it is submitted that claims 129 and 140, and all claims dependent therefrom, would not have been obvious over the cited references. Withdrawal of the rejections is requested.

**CONCLUSION**

Appellant respectfully requests reversal of the rejections of claims 1-50 and 129-148. These claims are allowable over the cited art.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David J. Zibelli", is written over a horizontal line.

David J. Zibelli  
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Date: November 30, 2005

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**CLAIMS APPENDIX**

1. A system for data recipient invoked electronic transactions, comprising:

a first network;

a second network;

at least one data recipient computer associated with at least one data recipient and connected to the first network, the at least one data recipient computer having web server software for hosting a web page and client software for allowing the at least one data recipient to send and receive information over the first network;

at least one gateway computer connected to the first network and the second network, the at least one gateway computer having gateway software for allowing the file exchange between the first and second networks;

at least one data subject network communication device (NCD) associated with the at least one data subject and connected to the second network, the at least one data subject NCD having software for accessing, and communicating with, the gateway computer to send and receive information over the first network;

at least one data repository connected to the first network, the at least one data repository having data repository software including instructions for gathering information to complete a transaction; and

the client software includes instructions for forwarding a data recipient's offer to the at least one data repository via the gateway computer, the second network, and the NCD software.

2. The system in accordance with claim 1, wherein the data repository further comprises instructions to send the data recipient's information to the at least one data recipient computer.

3. The system in accordance with claim 1, wherein the first network is selected from group consisting of the Internet, intranet, local area networks (LANS), and wide area networks (WANS), wireless, wireless local loops and cable networks.

4. The system in accordance with claim 1, wherein the second network is selected from group consisting of the Internet, intranet, local area networks (LANs), and wide area networks (WANs), wireless, wireless local loops, and cable networks.

5. The system in accordance with claim 1, wherein the second network is a wireless network and the gateway computer software comprises a wireless application protocol interface.

6. The system in accordance with claim 1, wherein the client software and the NCD software send and receive files in a common computer language.

7. The system in accordance with claim 6, wherein the common computer language is selected from a group consisting of HTML, XML, and WML.

8. The system in accordance with claim 1, wherein the NCD software further comprises a translator for reading and writing files in the native language of the NCD software, and read and write files in the native language of the client software.

9. The system in accordance with claim 1, wherein the gateway software further comprises a translator for reading and writing files in the native language of the NCD software and read and write files in the native language of the client software.

10. The system in accordance with claim 1, wherein the client software further comprises a translator for reading and writing files in the native language of the client software, and for reading and writing files in the native language of the NCD software.

11. The system in accordance with claim 1, wherein the data repository is connected to the gateway computer via the first network.

12. The system in accordance with claim 1, wherein the data repository is co-located with and directly connected to the gateway computer.

13. The system in accordance with claim 1, wherein the client software further comprises instructions for instructing the data subject NCD software to forward the data recipient's offer to the data repository and to send a message to the data repository indicating whether a NCD software identifier is present in the data subject's NCD software, and wherein the presence of a NCD software identifier indicates whether the data subject's NCD software was previously used in conjunction with the system.

14. The system in accordance with claim 13, wherein the NCD software identifier is a cookie.

15. The system in accordance with claim 13, further comprising a data subject data structure which further comprises information pertaining to previous transactions by at least one registered data subject, and wherein a registered data subject is a data subject has previously registered with the system.

16. The system in accordance with claim 15, further comprising at least one server for storing the data subject data structure.

17. The system in accordance with claim 15, further comprising at least one server for storing the data subject data structure.

18. The system in accordance with claim 13, further comprising a data recipient data structure which further comprises label-value pairs which represent data recipient information that is necessary to identify the data recipient.

19. The system in accordance with claim 18, wherein the data recipient information further comprises information from the group consisting of contact information, data recipient identification number, at least one network location for the data recipient computer, accepted payment card types, accepted currencies, and accepted payment methods.

20. The system in accordance with claim 18, wherein the data repository further comprises storage for storing the data recipient data structure.

21. The system in accordance with claim 18, further comprising at least one server for storing the data recipient data structure.

22. The system in accordance with claim 13, further comprising:

a data subject data structure which further comprises information pertaining to previous transactions by at least one registered data subject, wherein a registered data subject is a data subject that has previously registered with the system; and

a data recipient data structure which further comprises label-value pairs which represent data recipient information that identifies the data recipient and the data recipient computer.

23. The system in accordance with claim 22, wherein the data repository software further comprises instructions for selecting a data subject if the NCD software identifier identifies

one or more registered data subjects that have used the data subject's NCD software in conjunction with the system.

24. The system in accordance with claim 23, wherein the data repository software further comprises instructions for gathering the transaction information pertaining to the selected registered data subject from the data subject data structure to complete a transaction.

25. The system in accordance with claim 24, wherein the data repository software further comprises instructions for selecting the transaction information for a selected registered data subject that is acceptable to the data recipient based on the data recipient information in the data recipient data structure.

26. The system in accordance with claim 25, wherein the data repository software further comprises instructions for gathering the transaction information to complete the transaction by prompting the registered data subject for additional information to complete the transaction if the data subject data structure is missing information to complete the transaction.

27. The system in accordance with claim 22, wherein the data repository software further comprises instructions for gathering the information to complete the transaction by prompting the data subject for the information when the data subject is a non-registered data subject.

28. The system in accordance with claim 23, wherein the data repository software further comprises instructions to allow a registered data subject to enter information to identify the registered data subject thereby allowing the data repository software to access the registered data subject's information stored in the data subject data structure if the data repository software did not select the correct registered data subject.

29. The system in accordance with claim 28, wherein the information which can be entered to identify the registered data subject comprises information from the group consisting of a data subject identification string, email address, and a passphrase.

30. The system in accordance with claim 29, wherein the data repository software further comprises instructions for allowing a registered data subject to enter information to identify the registered data subject thereby allowing the data repository software to access the registered data subject's information stored in the data subject data structure if the registered data subject was not associated with the data subject's NCDSW.

31. The system in accordance with claim 30, wherein the information which can be entered to identify the registered data subject comprises a data subject identification number, email address and passphrase.

32. The system in accordance with claim 29, wherein the data repository software further comprises instructions for prompting the selected data subject for the data subject's identification information if the registered data subject was selected by the data repository software.

33. The system in accordance with claim 27, further comprising a temporary data structure for storing for a limited amount of time information pertaining to a transaction.

34. The system in accordance with claim 33, wherein the data recipient's offer comprises data selected from the group consisting of a data recipient identifier, a price for an item, a digital signature for the data recipient, and a transaction number.

35. The system in accordance with claim 34, wherein the data recipient's offer further comprises a final price indicator which indicates that the price for the item is not final.

36. The system in accordance with claim 35, wherein the data repository software further comprises instructions which communicate the data subject's shipping address information to the data recipient computer for calculating the final price for the item if the final price indicator indicates that the price for the item is not final.

37. The system in accordance with claim 36, wherein the data subject's shipping address information communicated to the data recipient further comprises the city, state, country and mail code of the data subject's shipping address.

38. The system in accordance with claim 36, wherein the data recipient computer further comprises instructions for calculating the final price for the item being purchased based on the data subject's shipping address information.

39. The system in accordance with claim 36, wherein the data subject's shipping address information communicating to the data recipient further comprises the shipping means.

40. The system in accordance with claim 39, wherein the data recipient computer further comprises instructions for calculating the final price for the item being purchased based on the data subject's shipping address information.



41. The system in accordance with claim 36, wherein the data subject's shipping address is the email address where the item is being sent for items which can be delivered over the network.

42. The system in accordance with claim 27, wherein the data repository software further comprises instructions to set a flag if a non-registered data subject elects to become a registered data subject.

45. The system in accordance with claim 42, wherein the data repository software further comprises instructions to prompt a non-registered data subject for registration information if the flag is set indicating that a non-registered data subject elected to become a registered data subject.

46. The system in accordance with claim 43, wherein the data repository software further comprises instructions to transfer the information stored in the temporary data structure to the data subject data structure when a non-registered data subject elects to become a registered data subject.

47. The system in accordance with claim 1, wherein the system further comprises a data subject transaction log for recording information relating to a registered data subject's purchasing transactions, and wherein a registered data subject is a data subject has previously registered with the system.

48. The system in accordance with claim 1, further comprising a data recipient transaction log which stores label-value pairs relating to transactions performed by the at least one data recipient.

49. The system in accordance with claim 48, wherein the data repository further comprises storage for storing the data recipient transaction log.

50. The system in accordance with claim 48, further comprising at least one server for storing the data recipient transaction log.

51-128. (Canceled)

129. A method for purchasing an item over a first network coupled to a second network by a gateway, comprising:

at a data recipient computer connected to the first network:

receiving a request for an offer from a data subject network  
communications device connected to the second network, and

in response to the request, sending the offer and a data file from the data  
recipient computer to the data subject network communications device; and  
at a data repository connected to the first network:

receiving the offer and a message from the data subject network  
communications device,

in response to the offer, determining an identity of a data subject based  
on the message,

gathering payment data associated with the data subject based on the  
identity,

presenting the offer to the data subject network communications device,

receiving a purchase decision from the data subject network  
communications device, and

sending payment data to the data recipient computer.

130. The method of claim 129 further comprising:

at the data subject network communications device:

receiving the offer and the data file from the data recipient computer;

processing the data file;

creating the message; and

sending the offer and the message to the data repository.

131. The method of claim 130 further comprising:

at the data subject network communications device:

receiving the offer from the data repository; and

sending the purchase decision to the data repository.

132. The method of claim 131, wherein said presenting includes displaying the offer on the data subject network communication device in an area reserved for a wallet.

133. The method of claim 129, further comprising:

at the data repository:

prompting the data subject for identification;

in response, receiving identifying information from the data subject network communication device; and

authenticating the data subject based on the identifying information.

134. The method of claim 133, wherein the identifying information includes an identification number, an email address and a passphrase.

135. The method of claim 133, further comprising:

at the data repository:

prompting the data subject for purchasing information; and

receiving the purchasing information from the data subject network communication device.

136. The method of claim 129, wherein the offer includes a data recipient identifier, a price, a data recipient digital signature, and a transaction number.

137. The method of claim 136, further comprising:

at the data repository:

determining whether to adjust the price based on a data subject address;

sending the price and the data subject address to the data recipient computer; and

receiving a revised price from the data recipient computer.

138. The method of claim 129, wherein the message includes a network communication device software identifier.

139. The method of claim 138, wherein the message is a cookie.

140. A system for conducting electronic transactions, comprising:

a first network;

a gateway coupled to the first network;

a second network coupled to the gateway;

a data recipient computer, coupled to the first network, adaptively configured to:

receive an offer request from a data subject network communication device, coupled to the second network, via the gateway,

send an offer and a data file to the data subject network communication device via the gateway; and

a data repository, coupled to the first network, adaptively configured to:

receive the offer and a message from the data subject network communication device via the gateway,

determine an identity of a data subject based on the message,

gather payment data associated with the data subject based on the identity,

present the offer to the data subject network communications device via the gateway,

receive a purchase decision from the data subject network communications device via the gateway, and

send payment data to the data recipient computer.

141. The system of claim 140, wherein:

the first network is a wide area network;

the second network is a wireless network; and

the gateway is a wireless application protocol-enabled gateway.

142. The system of claim 140, wherein the first network is a wide area network and the second network is a cable network.

143. The system of claim 140, wherein the data subject network communication device includes a web browser.

144. The system of claim 140, wherein the gateway is adaptively configured to translate between a data subject network communication device file format and at least one of a data recipient computer file format and a data repository file format.

145. The system of claim 140, wherein the data repository includes a database having a plurality of data structures.

**EVIDENCE APPENDIX**

No evidence under 37 CFR 1.130, 1.131 or 1.132 was submitted in this application.

**RELATED APPEALS APPENDIX**

There are no other appeals, interferences, or judicial proceedings known to Appellants, appellants' legal representative, or assignee which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.